

## REMARKS

Claims 1-14 and 16-21 are in this application and are presented for consideration. By this amendment, Applicant has amended claims 1, 3, 7, 12 and 19. New dependent 21 has been added and claim 15 has been canceled.

Applicant has attached a replacement sheet of drawings of the Figure to show the dimming element 40. Applicant has also amended the specification as shown above to provide the dimming element with the reference character 40. Applicant respectfully requests that the Examiner enter the drawing as now presented.

Claims 1-20 have been rejected under 35 U.S.C. 102(b) as being anticipated by Koslowski (DE 2702214 A).

The present invention relates to an apparatus for air circulation in double glazed thermoinsulated walls. An intermediate glass pane is inserted between an internal glass pane and an external glass pane. This advantageously reduces the amount of irradiation that is received in the inside environment. The intermediate glass pane and the external glass pane form a portion of a hermetically sealed space. A dimming element is inserted within the hermetically sealed space. This arrangement advantageously does not allow the dimming element to compromise or disturb the flow of air through an air path that includes a portion defined by a portion of the intermediate glass pane and the internal glass pane. This advantageously provides for a double insulation effect since both the dimming element and the air flow are used to prevent irradiation. The fact that the dimming element is arranged within the hermetically sealed space is significant in the present invention because it allows the air flow

through the space defined by the intermediate glass pane and the internal glass pane to be equally distributed throughout the space. This also advantageously protects the dimming element from contamination, such as dirt or dust that may be in the air. The prior art as a whole fails to disclose such features or such contamination and equally distributed air flow advantages.

Koslowski discloses a fan 22 for drawing air from an outside environment and an internal environment via a lower air inlet. During the summer, the entrance opening 14 leading in to the lower trim part 2 to the window exterior is opened while the entrance opening 13 leading to the inside is closed. The air inlet 19 in the upper trim part 3 is also opened during the summer. Air is then sucked in through the air inlet 19 and the lower opening 14. Colder outside air is introduced over the vertical channel 15 into the window interior 8 and slides along the inner wing 4 and outerwing 5 into the cavity of the upper trim part 3. There it mixes with air from the inlet 19 and finally arrives into the exhaust box 21. In this way, the air column which is within the window interior is permanently rolled over and replaced by colder outside air. A blind 9, 38 is located within the air column. In the winter, slot 18 of the opening 14 leading to the window exterior is locked so that the air is sucked in exclusively by the entrance opening 13. This warm room air enters the window interior 8. The cross sections of the openings in the lower trim part are adjustable by means of slot slidegate valves. The valves are arranged on the exterior and the inside of the lower trim part and can be adjusted by hand or automatically, which can take place by means of a thermostat.

Koslowski fails to teach and fails to suggest the combination of a dimming element located within a hermetically sealed space defined by an external glass pane and an intermediate

glass pane. Koslowski merely discloses an arrangement wherein the blind 9, 38 is located in the same space as the air flow. This disadvantageously disturbs and delays the flow of air between the window panes, which drastically decreases the efficiency of the heating or cooling insulation. Compared with Koslowski, the dimming element of the present invention is located within a hermetically sealed space. This advantageously allows a heating or cooling insulation that provides a laminar air flow between the intermediate glass pane and the internal glass pane. This advantageously does not require a high air flow rate as required in the arrangement of Koslowski. In contrast to the present invention, the dimming element of Koslowski interrupts the flow of air so that a higher flow rate is needed to exert an insulation effect. This significantly reduces the system efficiency of the system and subjects the dimming element of Koslowski to contamination since the dimming element is exposed to the air flow, which may contain high amounts of dust or other contaminants. According to the present invention, the air does not flow through the same space that contains the dimming element. This advantageously does not allow the air flowing through the space defined by the intermediate pane and the internal glass pane to be heated by convection via the irradiation reflected from the dimming element. This significantly increases the efficiency of the apparatus of the present invention. Koslowski takes a different approach by disclosing an air flow that passes over a dimming element such that the irradiation from the dimming element heats the air flow, which significantly decreases efficiency. As such, the prior art as a whole fails to disclose important aspects of the claimed combination. Accordingly, Applicant respectfully requests that the Examiner favorably consider claims 1, 12 and 19 as now presented and all claims that

respectively depend thereon.

Claims 17 and 20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Koslowski in view of Shah (U.S. 2002/0113132). Although Shah teaches an integrated temperature and humidity controller, the references as a whole fail to suggest the combination of features claimed. Specifically, Koslowski provides no suggestion or teaching for a dimming element that is separated from an airflow path as claimed. As such, the references together do not teach or suggest the combination of features claimed. One of ordinary skill in the art is presented with various concepts, but these concepts do not provide any direction as to combining the features claimed. All claims define over the prior art as a whole.

Further and favorable consideration on the merits is requested.

Respectfully submitted  
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Attached: (1) Replacement Sheet of Drawings

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